

§ 502.17

(b) Total gaming-related operating expenses, including all those expenses of the gaming operation commonly known as operating expenses and non-operating expenses consistent with professional accounting pronouncements, excluding management fees.

[74 FR 36932, July 27, 2009]

§ 502.17 Person having a direct or indirect financial interest in a management contract.

Person having a direct or indirect financial interest in a management contract means:

(a) When a person is a party to a management contract, any person having a direct financial interest in such management contract;

(b) When a trust is a party to a management contract, any beneficiary or trustee;

(c) When a partnership is a party to a management contract, any partner;

(d) When a corporation is a party to a management contract, any person who is a director or who holds at least 5% of the issued and outstanding stock alone or in combination with another stockholder who is a spouse, parent, child or sibling when the corporation is publicly traded or the top ten (10) shareholders for a privately held corporation;

(e) When an entity other than a natural person has an interest in a trust, partnership or corporation that has an interest in a management contract, all parties of that entity are deemed to be persons having a direct financial interest in a management contract; or

(f) Any person or entity who will receive a portion of the direct or indirect interest of any person or entity listed above through attribution, grant, pledge, or gift.

[74 FR 36932, July 27, 2009]

§ 502.18 Person having management responsibility for a management contract.

Person having management responsibility for a management contract means the person designated by the management contract as having management responsibility for the gaming operation, or a portion thereof.

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§ 502.19 Primary management official.

Primary management official means:

(a) The person having management responsibility for a management contract;

(b) Any person who has authority:

(1) To hire and fire employees; or

(2) To set up working policy for the gaming operation; or

(c) The chief financial officer or other person who has financial management responsibility.

(d) Any other person designated by the tribe as a primary management official.

[57 FR 12392, Apr. 9, 1992, as amended at 74 FR 36933, July 27, 2009]

§ 502.20 Secretary.

Secretary means the Secretary of the Interior.

§ 502.21 Tribal-State compact.

Tribal-State compact means an agreement between a tribe and a state about class III gaming under 25 U.S.C. 2710(d).

§ 502.23 Facility license.

Facility license means a separate license issued by a tribe to each place, facility, or location on Indian lands where the tribe elects to allow class II or III gaming.

[73 FR 6029, Feb. 1, 2008]

§ 502.24 Enforcement action.

Enforcement action means any action taken by the Chair under 25 U.S.C. 2713 against any person engaged in gaming, for a violation of any provision of IGRA, the regulations of this chapter, or tribal regulations, ordinances, or resolutions approved under 25 U.S.C. 2710 or 2712 of IGRA, including, but not limited to, the following: A notice of violation; a civil fine assessment; or an order for temporary closure. Enforcement action does not include any action taken by NIGC staff, including but not limited to, the issuance of a letter of concern under § 573.2 of this chapter.

[77 FR 47514, Aug. 9, 2012]

PART 503—COMMISSION INFORMATION COLLECTION REQUIREMENTS UNDER THE PAPERWORK REDUCTION ACT: OMB CONTROL NUMBERS AND EXPIRATION DATES

Sec.

503.1 Purpose of this part.

503.2 Display of control numbers and expiration dates.

AUTHORITY: 44 U.S.C. 3501 *et seq.*

SOURCE: 58 FR 16495, Mar. 29, 1993, unless otherwise noted.

§ 503.1 Purpose of this part.

This part displays the control numbers and expiration dates assigned to information collection requirements of the National Indian Gaming Commission (NIGC, or the Commission) assigned by the Director of the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.*

§ 503.2 Display of control numbers and expiration dates.

Part or section number of title 25 CFR	Currently assigned OMB control numbers	Expiration date
§ 514.1 (submission of fee reports)	3141-0007	6/30/94
§ 515.3 (request for access to records)	3141-0002	10/31/95
§ 515.5 (request for amendment to records)	3141-0002	10/31/95
§ 515.7 (appeals)	3141-0002	10/31/95
Part 519 (designation of agent for service)	3141-0003	10/31/95
§ 522.2 (submission and approval of new ordinances)	3141-0003	10/31/95
§ 522.3 (amendment)	3141-0003	10/31/95
§ 522.12 (revocation of class III gaming)	3141-0003	10/31/95
§ 523.2 (submission and approval of existing ordinances)	3141-0003	10/31/95
§ 523.4 (amendment)	3141-0003	10/31/95
Part 524 (appeals)	3141-0003	10/31/95
§ 533.3 (approval of management contracts)	3141-0004	10/31/95
§ 533.5 (modifications)	3141-0004	10/31/95
§ 535.1 (post-approval procedures)	3141-0004	10/31/95
Part 537 (background investigations)	3141-0004	10/31/95
Part 539 (appeals)	3141-0004	10/31/95
§ 556.4 (background investigations for class II gaming)	3141-0003	10/31/95
§ 556.5 (background investigations)	3141-0003	10/31/95
Part 558 (gaming licenses)	3141-0003	10/31/95
§ 571.7 (maintenance of records)	3141-0001	7/31/95
§ 571.12 (audits)	3141-0001	7/31/95
§ 571.13 (audits)	3141-0001	7/31/95
§ 571.14 (audit reconciliation)	3141-0001	7/31/95
§ 575.5 (information to Chairman)	3141-0001	7/31/95
§ 575.6 (penalty reduction)	3141-0001	7/31/95

Part or section number of title 25 CFR	Currently assigned OMB control numbers	Expiration date
§ 577.3 (notice of appeal)	3141-0001	7/31/95
§ 577.8 (confidentiality)	3141-0001	7/31/95
§ 577.12 (intervention)	3141-0001	7/31/95
§ 577.14 (objections)	3141-0001	7/31/95

PARTS 504-512 [RESERVED]

PART 513—DEBT COLLECTION

Subpart A—General Provisions

Sec.

513.1 What definitions apply to the regulations in this part?

513.2 What is the Commission's authority to issue these regulations?

513.3 What happens to delinquent debts owed to the Commission?

513.4 What notice will the Commission give to a debtor of the Commission's intent to collect debts?

513.5 What is the Commission's policy on interest, penalty charges, and administrative costs?

513.6 What are the requirements for offset review?

513.7 What is the Commission's policy on revoking a debtor's ability to engage in Indian gaming for failure to pay a debt?

Subpart B—Administrative and Tax Refund Offset

513.20 What debts can the Commission refer to Treasury for collection by administrative and tax refund offset?

513.21 What notice will a debtor be given of the Commission's intent to collect a debt through administrative and tax refund offset?

Subpart C—Salary Offset

513.30 When may the Commission use salary offset to collect debts?

513.31 What notice will the Commission, as the creditor agency, give a debtor that salary offset will occur?

513.32 What are the hearing procedures when the Commission is the creditor agency?

513.33 Will the Commission issue a certification when the Commission is the creditor agency?

513.34 What opportunity is there for a voluntary repayment agreement when the Commission is the creditor agency?

513.35 What special review is available when the Commission is the creditor agency?

513.36 Under what conditions will the Commission refund amounts collected by salary offset?